

PLANNING AND ZONING COMMISSION
STAFF REPORT

April 3, 2014



Rezoning RZ 14-07: Carter-Arden Development, LLC

CASE DESCRIPTION: a request to amend the development plan of a previously-approved Planned Development – Housing District (PD-H)

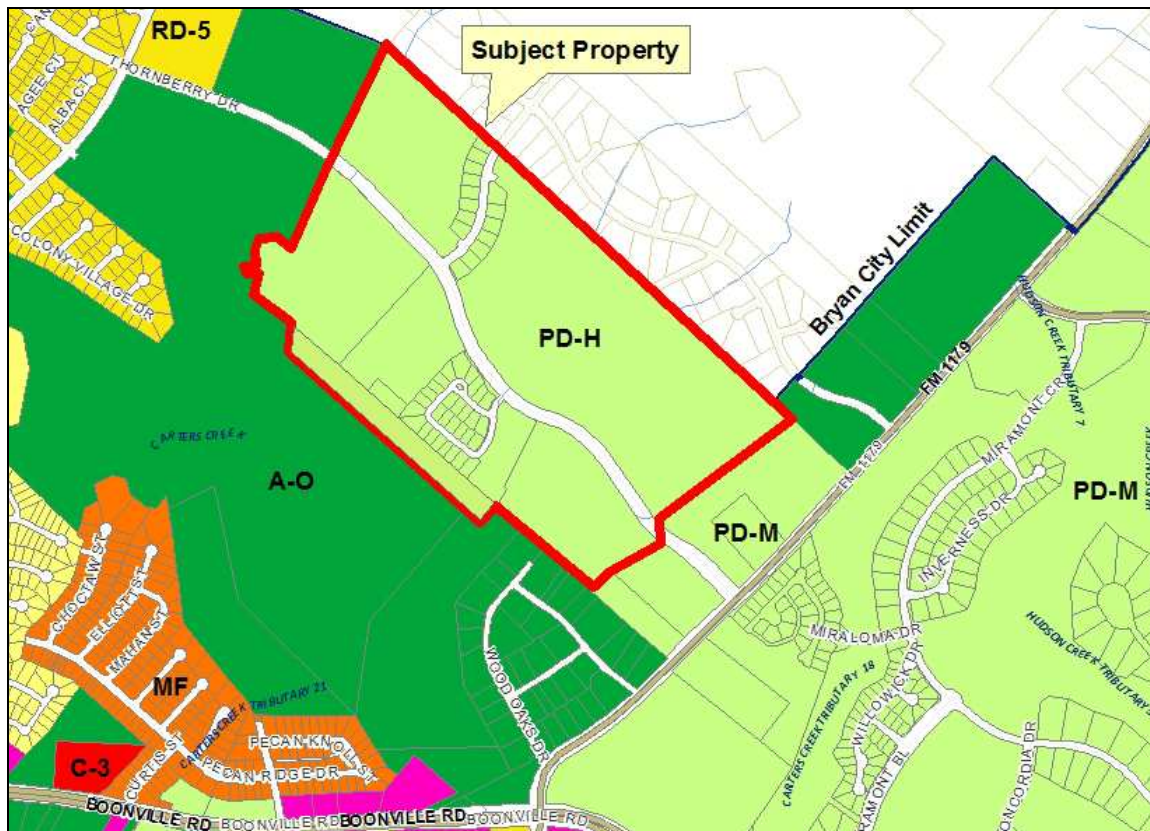
LOCATION: 186.59 acres of land out of John Austin League, Abstract No. 2 adjoining both sides of Thornberry Drive generally northwest of its intersection with F.M. 1179

APPLICANT(S): Steve Arden of Carter-Arden Development, LLC

AGENT: McClure and Browne Engineering/Surveying, Inc.

STAFF CONTACT: Randy Haynes, Senior Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this rezoning request.



AERIAL PHOTOGRAPH - 2013



BACKGROUND:

EXISTING LAND USE: single-family homes, vacant acreage

SURROUNDING ZONING AND LAND USES:

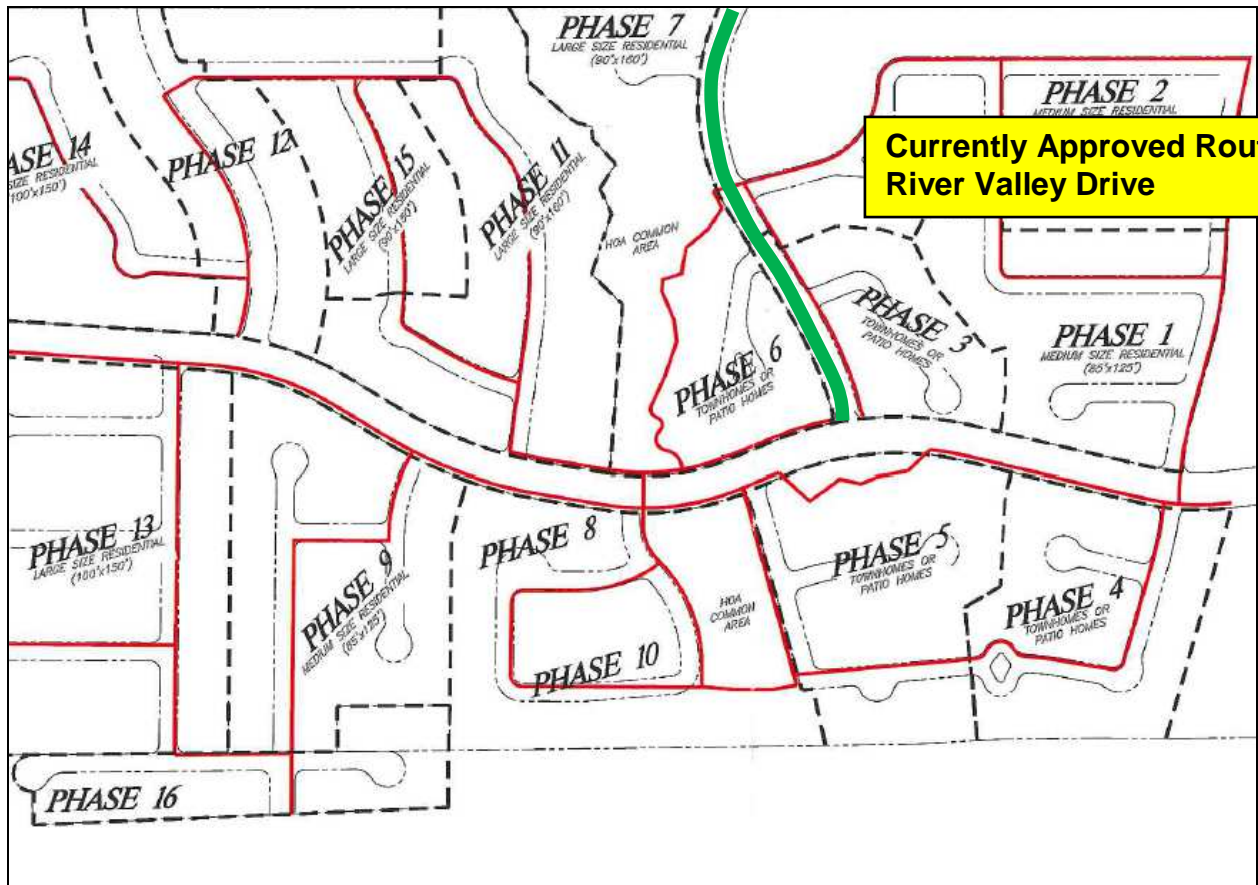
north	outside city limits	single-family homes, vacant acreage
east	PD	single-family homes, golf course community
south	A-O	single-family homes, private school, vacant acreage
west	A-O	vacant acreage

The 187 acre subject property was most-recently rezoned to Planned Development – Housing District (PD-H) in February 2014, to alter the proposed street layout on phases planned on the southwest side of Thornberry Drive and to add 4.7 acres to the development. The original development plan had been approved in 2009 to create a master-planned mixed-use development (Planned Development – Mixed Use District, PD-M) with single-family residential and commercial components, referred to as Greenbrier Subdivision. Subdivision development of several residential portions of the project has been underway since August 2012. The commercial component remains zoned PD-M District. The subject of the current rezoning request involves only the land designated for residential use on the original development plan, and does not include the 35+ acres abutting FM 1179 that remain set aside for commercial use.

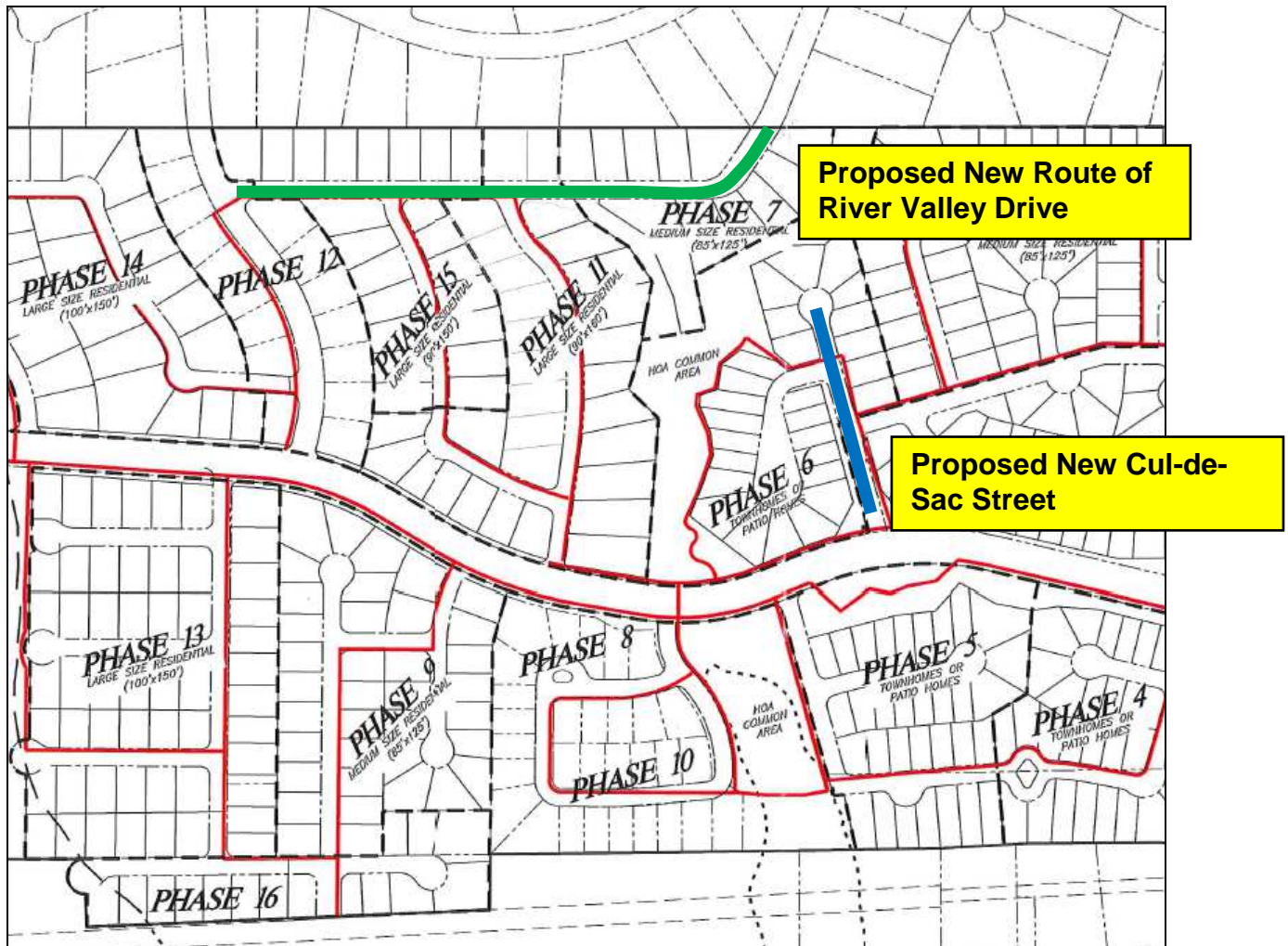
The applicants, Carter-Arden Development, LLC, are now requesting to amend the approved development plan, to alter the street layout for subdivision phases planned on the northeast side of Thornberry Drive. Specifically, the planned extension of River Valley Drive from Thornberry Drive to the adjacent Riverstone Subdivision, if built as currently shown on the development plan, would require a costly crossing of a low area and creek tributary. The proposed new development plan shows River Valley Drive, a local street, still connecting the Greenbrier and Riverstone Subdivisions, but bending toward the northwest to intersect with River Rock Drive, which was constructed as part of one of the first phases of this development. A new cul-de-sac street is proposed to extend northeast from Thornberry Drive to provide access to Phases 1, 2 and 6 of the development. Street and sidewalk connectivity is proposed to be maintained via the existing connection of River Rock Drive to Thornberry Drive.

Since the previous street and sidewalk layout were approved with the establishment of the PD-H District for this subdivision, the proposed changes to the development plan require review and approval by the Planning and Zoning Commission and the City Council in the form of a rezoning request. The new development plan retains the basic arrangement of the proposed development with 16 single-family residential subdivision phases, common areas, and land previously dedicated as parkland along Thornberry Drive.

DETAIL, CURRENT RIVER VALLEY DRIVE STREET AND SIDEWALK LAYOUT:



DETAIL PROPOSED RIVER VALLEY DRIVE STREET AND SIDEWALK LAYOUT:



Proposed development standards:

The Greenbrier Subdivision is proposed to be developed no more than 3.86 dwelling units per acre. All 16 proposed subdivision phases are planned to allow development with detached single-family homes. Accessory dwellings, child care - class B, a country club or golf course, and professional offices are proposed to be allowed with prior approval of a conditional use permit. In Phases 3, 4, 5, 6, 8 and 10, patio/zero lot line dwellings and townhouse dwellings are proposed to also be allowed by right, subject to approval of zero lot lines and the arrangement of townhouse clusters by the Site Development Review Committee (SDRC). Development in these six phases is envisioned to be detached single-family homes, patio/zero lot line homes or townhouses. In other words, a combination of these three dwelling types would not be allowed. The following development standards are also proposed:

1. Lots intended to be developed with detached single-family dwellings are proposed to be a minimum 65 feet wide and 125 feet deep with a minimum lot area of 8,125 square feet.
2. Lots intended to be developed with patio/zero lot line dwellings shall be a minimum 55 feet wide and 120 feet deep with a minimum lot area of 6,600 square feet.

3. Lots intended to be developed with townhouse dwellings shall be a minimum 25 feet wide and 100 feet deep with a minimum lot area of 2,500 square feet.
4. Buildings with metal exteriors shall be prohibited.
5. Modular (industrialized) buildings shall be prohibited.
6. Zero lot line/patio home lots shall have minimum 15-foot wide side yards.
7. The combined gross floor area of detached accessory structures on a single property shall be no more than 8% of the gross floor area of the main structure.
8. Only one accessory dwelling shall be allowed on a single property.
9. The gross floor area of an accessory dwelling shall be at least 400 square feet but not exceed 8% of the gross floor area of the main structure.
10. Where an accessory dwelling is permitted on a lot, no other detached accessory structures shall be located on that same lot.
11. The installation of sidewalks in Phases 1 thru 16 and the common areas within this PD-H District shall be required only in the locations depicted on the development plan.
12. Sidewalks shall be a minimum 4 feet wide along local streets and a minimum of 8 feet wide along Thornberry Drive and within common areas.
13. Common areas shown on the development plan will be maintained by a homeowners association.
14. Occupancy of all single-family dwelling units within this development shall be limited to families in which not more than two individuals are unrelated by blood, marriage or adoption.

All of numerical standards proposed for this development either meet or exceed the city's ordinary development standards for residential properties.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan adopted a new Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects of the community. The Comprehensive Plan states that it is a goal of the City to achieve a balance of land uses within the City by achieving a sustainable mix of land use types in suitable locations, densities and patterns. City-wide land use policies articulated in the Comprehensive Plan suggest that land uses should be located in areas that are: (1.) protected from but accessible to major roadway network, commercial establishments, work places and entertainment areas; (2.) accessible to collector and arterial streets, but directly accesses local stress; and (3.) not adjacent to major arterials or freeways with out adequate buffering and access management.

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

Staff believes that the proposed arrangement of residential land uses on these 187 acres is appropriate at this particular location and is in accordance with land use recommendations of the Comprehensive Plan. The subject property lies in an area that is considered to be one of the city's higher growth areas due to its proximity to existing development and the city's recent extension of a new collector street through this property. Staff believes that the proposed

development of residential properties on lots less than one acre in size at a density of 3.8 homes per acre is desirable and will help support commercial developments locating here. Staff believes that the proposed arrangement of land uses at this location will promote orderly urban growth in this part of Bryan. Staff contends that the changes proposed in the arrangement of streets and sidewalks maintain the goal of auto and pedestrian connectivity throughout the future phases of the development.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

Staff believes that the proposed layout of streets within this Planned Development District will provide for the smooth circulation of traffic in this vicinity. Anticipating development in this part of Bryan, the city extended a 24-inch wide sewer main to the southwestern boundary of this tract within the last 5 years. Any issues regarding utility capacity will be addressed at the time of development.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

The closest vacant land zoned for residential development with lots less than one acre in size is located west, in Austin's Colony. Staff believes that this zone change request, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Staff contends that residential developments are developing at a moderate pace in this general vicinity and elsewhere in the City. Staff believes that approval of this master-planned mixed-use development may spur additional development interest in this area.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

If the proposed PD-H District were approved, staff believes there to be few if any effects on other areas designated for similar developments.

6. Any other factors affecting health, safety, morals, or general welfare.

Staff is unable to discern any other factors related to this rezoning request that will adversely affect health, safety, morals, or general welfare. Staff contends that the proposed arrangement of single-family homes at this location will create an orderly zoning pattern and allow for a useful and orderly urban development of this property.

In addition, the Planning and Zoning Commission shall not approve a planned development if it finds that the proposed planned development does not conform to applicable regulations and standards established by Section 130-125 of the Zoning Ordinance:

1. Is not compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features, within the standards established by this section.

Staff believes that the proposed mixed-use master-planned development will be compatible with existing and anticipated uses surrounding this property and in accordance with the land use recommendations of the Comprehensive Plan. Staff believes that the proposed use and development of this property should have minimal (if any) adverse impacts on nearby properties or the City as a whole and may spur additional development interest in this vicinity.

2. Potentially creates unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of this section.

Staff is unable to identify any potentially adverse effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of the proposed PD-H District.

3. Adversely affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

Staff contends that the proposed development will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity. The proposed layout of road and pedestrian walkways can reasonably be expected to provide for adequate and safe traffic circulation.

4. Adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

Staff contends that the proposed development will not adversely affect traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

5. Fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

Staff contends that the proposed development will reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts, in conformance with applicable city ordinances.

6. Will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, for reasons specifically articulated by the commission.

Staff believes that the proposed master-planned housing development at this location will neither adversely affect health, safety, morals, or general welfare nor be materially injurious to properties or improvements in the vicinity.

RECOMMENDATION:

Staff recommends **approving** the proposed amendment to the development plan of this previously-approved Planned Development – Housing District (PD-H), as requested.